

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TRUSTEES OF THE NEW YORK CITY DISTRICT
COUNCIL OF CARPENTERS PENSION FUND,
WELFARE FUND, ANNUITY FUND, AND
APPRENTICESHIP, JOURNEYMAN RETRAINING,
EDUCATIONAL AND INDUSTRY FUND et al.,

Petitioners,

-v-

M & RR CONSTRUCTION CORP.,

Respondent.

CIVIL ACTION NO.: 22 Civ. 6467 (VSB) (SLC)

ORDER

SARAH L. CAVE, United States Magistrate Judge.

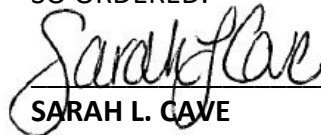
On August 2, 2022, this action was referred to the undersigned to issue a Report and Recommendation concerning the Petition to Confirm an Arbitration Award. (ECF No. 7). The Petition was served on Respondent on August 2, 2022, (ECF No. 8), and Respondent has not appeared or responded. The Court EXTENDS Respondent's deadline to respond to the Petition, nunc pro tunc, to **Friday, September 9, 2022**.

Respondent is cautioned that failure to appear or respond may result in the Court treating the Petition as an unopposed motion for summary judgment. See D.H. Blair & Co. v. Gottdiener, 462 F.3d 95, 109 (2d Cir. 2006) ("If the non-movant does not respond, its failure to contest issues not resolved by the record will weigh against it.").

Petitioners shall promptly serve a copy of this Order on Respondent and file proof of service by **Monday, August 29, 2022**.

Dated: New York, New York
August 25, 2022

SO ORDERED.



SARAH L. CAVE

United States Magistrate Judge